

§ 371.3

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§ 371.3 Plant protection and quarantine.

(a) *General statement.* Plant Protection and Quarantine (PPQ) protects and safeguards the Nation's plant resources through programs and activities to prevent the introduction and spread of plant pests and diseases.

(b) *Deputy Administrator of PPQ.* The Deputy Administrator of PPQ is responsible for:

(1) Participating with the Administrator of APHIS and other officials in the planning and formulation of policies, programs, procedures, and activities of APHIS.

(2) Providing direction and coordination for PPQ programs and activities. The authorities for PPQ programs include:

(i) The Terminal Inspection Act, as amended (7 U.S.C. 166);

(ii) The Honeybee Act, as amended (7 U.S.C. 281 through 286);

(iii) Sections 1 and 15 of the Federal Noxious Weed Act of 1974, (7 U.S.C. 2801 note and 7 U.S.C. 2814);

(iv) The Endangered Species Act of 1973 (16 U.S.C. 1531–1544);

(v) Executive Order 13112;

(vi) The responsibilities of the United States under the International Plant Protection Convention;

(vii) Lacey Act Amendments of 1981, as amended (16 U.S.C. 3371 through 3378);

(viii) Title III (and Title IV to the extent that it relates to activities under Title III) of the Federal Seed Act, as amended (7 U.S.C. 1581 through 1610);

(ix) Authority to prescribe and collect fees under The Act of August 31, 1951, as amended (31 U.S.C. 9701), and sections 2508 and 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended (21 U.S.C. 136 and 136a);

(x) Plant Protection Act (Title IV, Pub. L. 106–224, 114 Stat. 438, 7 U.S.C. 7701–7772);

(xi) Authority to collect reimbursement for overtime paid to employees for inspection or quarantine services (7 U.S.C. 2260).

(xii) Title V of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 2279e and 2279f).

(xiii) title II, Subtitle B, of the Public Health Security and Bioterrorism

Preparedness and Response Act of 2002 (7 U.S.C. 8401 not and 8401).

(3) Developing of regulations (including quarantines) regarding noxious weeds and plant pests and diseases.

(4) Cooperating with and providing technical assistance to State and local governments, farmer's associations, and individuals with regard to plant pest control. Cooperating with and providing technical assistance to foreign governments with regard to plant pests and diseases.

(5) Assisting in the development of sanitary and phytosanitary measures.

(6) Regulating the field release into the environment, interstate movement, and importation of genetically modified organisms.

(7) Serving as a member of the North American Plant Protection Organization (NAPPO). NAPPO is composed of plant protection officials and industry cooperators from Canada, Mexico, and the United States.

(8) Administering plant and animal pest and disease exclusion policies, procedures, and regulations at international ports of entry (land, sea, and air) relative to all plants and plant and animal products and associated materials (excluding live animals).

(9) Providing laboratory support, diagnostic services, methods development, and research activities in support of PPQ programs.

[65 FR 1299, Jan. 10, 2000, as amended at 65 FR 49471, Aug. 14, 2000; 66 FR 21060, Apr. 27, 2001; 68 FR 27449, May 20, 2003]

§ 371.4 Veterinary Services.

(a) *General statement.* Veterinary Services (VS) protects and safeguards the Nation's livestock and poultry through programs and activities to prevent the introduction and spread of pests and disease of livestock and poultry. VS also provides leadership and coordinates activities pertaining to veterinary biologics.

(b) *Deputy Administrator of VS.* The Deputy Administrator of VS is responsible for:

(1) Participating with the Administrator of APHIS and other officials in the planning and formulation of policies, programs, procedures, and activities of APHIS.

(2) Providing direction and coordination for the activities of the Center for Veterinary Biologics.

(3) Providing direction and coordination for VS programs and activities.

The authorities for VS programs include:

(i) Section 306 of the Tariff Act of June 17, 1930, as amended (19 U.S.C. 1306);

(ii) Act of August 30, 1890, as amended (21 U.S.C. 102 through 105);

(iii) Act of May 29, 1884, as amended, Act of February 2, 1903, as amended, and Act of March 3, 1905, as amended, and supplemental legislation (21 U.S.C. 111 through 114a, 114a through 114a-1, and 115 through 130);

(iv) Act of February 28, 1947, as amended (21 U.S.C. 114b through 114c, and 114d-1);

(v) Act of June 16, 1948 (21 U.S.C. 114e through 114f);

(vi) Act of September 6, 1961 (21 U.S.C. 114g through 114h);

(vii) Act of July 2, 1962 (21 U.S.C. 134 through 134h);

(viii) Act of May 6, 1970 (21 U.S.C. 135 through 135b);

(ix) Sections 12 through 14 of the Federal Meat Inspection Act, as amended, and the portion of Section 18 of the Act that pertains to the issuance of certificates of condition of live animals intended and offered for export (21 U.S.C. 612 through 614, and 618);

(x) Improvement of poultry, poultry products, and hatcheries (7 U.S.C. 429);

(xi) 28 Hour Law, as amended (49 U.S.C. 80502);

(xii) Act of August 26, 1983, as amended (46 U.S.C. 3901 through 3902);

(xiii) Harmonized Tariff Schedule of the United States;

(xiv) Virus-Serum-Toxin Act (21 U.S.C. 151 through 159);

(xv) Sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended, with respect to voluntary inspection and certification of animal products; inspection, testing, treatment, and certification of animals; and a program to investigate and develop solutions to the problems resulting from the use of sulfonamides in swine (7 U.S.C. 1622 and 1624);

(xvi) Section 101(d) of the Organic Act of September 21, 1944 (7 U.S.C. 430);

(xvii) The Swine Health Protection Act (7 U.S.C. 3801 through 3813);

(xviii) Conducting diagnostic and related activities necessary to prevent, detect, control, or eradicate foot-and-mouth disease and other animal diseases (21 U.S.C. 113a);

(xix) Authority to prescribe and collect fees under the Act of August 31, 1951, as amended (31 U.S.C. 9701), and sections 2508 and 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended (21 U.S.C. 136 and 136a); and

(xx) Transportation of horses to slaughter under sections 901-905 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note).

(xxi) Animal Health Protection Act (7 U.S.C. 8301-8317).

(xxii) Section 10504 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8318).

(xxiii) The responsibilities of the United States related to activities of the Office International des Epizooties.

(xxiv) Title II, Subtitles B and C, of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (7 U.S.C. 8401 note, 8401, 8411).

(4) Directing and coordinating animal health information systems and maintaining a Federal-State program operation capable of responding to exotic livestock and poultry disease outbreaks.

(5) Cooperating with and providing technical assistance to State and local governments, farmer's associations and similar organizations, and individuals with regard to VS programs and activities. Cooperating with and providing technical assistance to foreign governments with regard to pests and diseases of livestock and poultry.

(6) Providing laboratory support, diagnostic services, methods development, and research activities in support of VS programs.

[65 FR 1299, Jan. 10, 2000, as amended at 68 FR 27449, May 20, 2003]

§ 371.5 Marketing and Regulatory Programs Business Services.

(a) *General statement.* Marketing and Regulatory Programs Business Services (MRPBS) plans and provides for the agency's human, financial, and physical resources.